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EUROPEAN RESEARCH EXECUTIVE AGENCY
 REA.C – Future Society
 C.1 – Inclusive Society

GENERAL PROJECT REVIEW CONSOLIDATED REPORT

Grant agreement (GA) number:	870626
Project¹ Acronym:	reCreating Europe
Project title:	Rethinking digital copyright law for a culturally diverse, accessible, creative Europe
Type of action:	RIA
Start date of the project:	01/01/2020
Duration of the project:	39
Name of primary coordinator contact and organisation:	Caterina SGANGA (SSSA)
Period covered by the report:	from 01/07/2021 to 31/03/2023
Periodic report/Reporting period number:	Final
Date of first submission of the periodic report (if applicable):	04/05/2023
Amendments (latest AMD concerning description of the action)²	03/02/2023 (AMD-870626-19)
Date of meeting with consortium (if applicable):	22/03/2023 - 22/03/2023
Name of project officer:	Jarkko SIREN
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¹ ‘Project’ means the same thing as ‘action’.

² Only amendments to the description of the action (DoA; AT21) are relevant for general project reviews since they always have to be carried out against the latest version of the DoA

1. Overall assessment

1. Overall assessment
Project has fully achieved its objectives and milestones for the period.
2. Significant results linked to dissemination, exploitation and impact potential
<p>Project has delivered exceptional results with significant immediate or potential impact (even if not all objectives mentioned in the Annex 1 to the GA were achieved).</p> <p>The project continued to provide a very broad, original, solid and comprehensive study of copyright regulation across sectors, use case studies and methodologies. A global perspective from all stakeholders, was truly achieved and impact is ensured for all: the cultural industry, the technology industry, authors, end-users, heritage institutions, cities and a range of niche innovative models ensuring diversity.</p> <p>The socio-legal methodology was outstanding, associating impeccable desk research and legal analysis with the development of interviews, surveys and data analysis, the construction of careful synthesis leading to incremental recommendations and powerful websites sharing all the knowledge developed and organising it in a very user-friendly manner, for future researchers, users, and professionals to build upon.</p> <p>Several studies are outstanding, for instance all the very broad and extensive mapping exercises, confronting a wide range of applicable regulation, the work on territoriality, cities, vulnerable users and minorities, platforms and content moderation, GLAM, academia is of the highest quality. All these studies provide a deep and complete view of the sectors analysed, so their results are useful to a greater or lesser extent for all stakeholders of the copyright sector: end-users, authors, cultural industries, GLAM institutions, and intermediaries. It is also worth noting the proposals are made on appropriate levels of harmonization of copyright and IP rights that facilitate the development and deepening of the Digital Single Market. The results are truly impressive.</p>
3. General comments
<p>The project has been developed correctly and, generally speaking, as planned. Regarding the results obtained, they respond to what had been planned. During the first half of the project execution, the beneficiaries focused on state-of-the-art studies, which constituted the starting point for more specific studies and for policy recommendations and good practices at the end of the project execution period. The studies carried out are of high scientific quality and respond to what was planned.</p> <p>The project leaves legacy websites for all stakeholders, policy recommendations, legal guidance and best practices based on extremely solid socio-legal research including legal analysis, questionnaires, surveys and training resources, perfectly fulfilling (and even going beyond) the dual promised objectives to (1) provide a complete body of knowledge of public and private regulation from copyright and DSM with a complete mapping of the field, and (2) contribute policy measures and recommendations for stakeholders and policy-makers to improve access to digital culture. Engagement was exemplary, as well as empirical research supporting the research with data.</p> <p>One of the main intellectual contributions of the project was to combine socio-legal research with participatory research (interviews, surveys, data analysis), which is rare in the copyright sector as it was underlined in the first report. It did provide outstanding evidence-based analytical results and policy recommendations.</p> <p>Another important contribution is that it tackles new issues, which are at an early stage of development. Among them are the production of intellectual works through AI devices, the study of IP negative spaces, and the deeper analysis on how the private ordering carried out by intermediaries, the user-generated-content platforms, has a much greater impact on digital access to culture and the creation of cultural value than the legal rules. Although in general terms these studies do not reach a high degree of depth or achieve very conclusive findings, simply addressing them and trying to increase knowledge about them deserves a positive assessment.</p> <p>In short, the project has been adequately developed, and relevant results have been achieved, especially a balanced, complete and up-to-date overview of the main issues related to copyright in the European Union.</p>
4. Recommendations concerning the period covered by the report
<p>The development of the project has been correct, having met the planned objectives and submitted the deliverables on time, without significant deviations on what was planned. Although with some logical differences in their quality, all reports and deliverables meet the requirements to be approved, none must be resubmitted. Altogether they deserve a very positive assessment. In short, no recommendations regarding the work done are necessary. The period allowed for all interim studies to come to fruition and deliver complete knowledge and recommendations as well as interact with all stakeholders to validate and disseminate the results.</p> <p>Formal remarks which had been made in the first period report have been duly taken into account. Regarding WP3, it</p>

had been recommended to seek AI experts who have in-depth knowledge of strictly technological aspects to review the deliverable, this has been performed. In WP6, the deeper reflection on the underlying problem raised by the domination of private regulation vs. law, which was missing, has been included. Related to WP7, engagement with stakeholders was increased, as well as interaction with the EC policy officers. The proposal of summarizing the results was adopted for the dissemination of all conclusions as suggested. The 23 publications have not been all published on diamond journals with no APC, as suggested in the first review report, but it is assumed that are in the green OA repositories, and all have been published in high quality venues.

5. Recommendations concerning future work, if applicable

Even if there is no future work to be delivered, besides for policy-makers and stakeholders to implement all the recommendations of individual deliverables, and training to be developed, some suggestions (at hopefully low cost for the partners) can be found in several of the deliverables individual assessments, in particular to turn the databases into participatory resources, in order to provide a space for others to continue to engage with future contributions and guarantee the databases will be updated to new cases and regulations, in line with open data and participatory science ethos.

2. Objectives and workplan

1. Is the progress reported in line with objectives and work plan as specified in the DoA? If there are significant deviations, please comment.	Yes
<p>The project was in line with objectives and work plan, no major significant deviations are to be reported. Although the COVID-19 pandemic had a profound and disruptive effect on the project, especially in the recruitment of new staff and the implementation of participatory research strategies, a lot of effort has been put in by the project participants to minimize the negative effects on the execution of the project. Thus, efforts were concentrated and programs and methods were adjusted to the online environment, so that the planned work was carried out. Only some deliverables were submitted with minimum delays (except D4.4, but the 8+ months-delay was justified to synch with community events, and D2.3 report on flexibility and D3.7 on machine learning submitted with 6+ months delays). All WPs carried work as promised in the DoA, notwithstanding 4 very legitimate amendments (to perform a change of partner due to a researcher moving institutions, to extend some tasks and the end of the project and organise an event at the EP). These very limited deviations are remarkable, despite pandemic and hiring difficulties underlined in D1.4 final project report, which demonstrates all milestones have been reached and all results have been achieved and measured towards planned indicators (expected KPIs).</p>	
2. Are the objectives of the project still scientifically and /or technologically relevant?	Yes
<p>The main aim of this project is still totally relevant. The questions of access to digital culture are all the more relevant and crucial today as they were at the time of the project submission. Knowing the impact of digital copyright on creativity and on access to culture by citizens is an objective that has not lost any validity either from a scientific or technological point of view. The same can be said of the methodological aspects: its interdisciplinary nature, harmoniously combining numerous qualitative and quantitative methods, is undoubtedly the best option to achieve the planned objectives. This methodological interdisciplinarity is also reflected in the active presence of key stakeholders, which undoubtedly adds value to its results. The consortium was able to integrate all the opportunities offered by the new legal framework which developed during the project.</p>	
3. Are the critical implementation risks and mitigation actions described in the DoA still relevant?	Yes
<p>The risk management plan was well-defined and it is still relevant. It was conveniently updated to deal with the COVID-19 pandemic situation. The main risks, for example those associated with the lack or limited participation of stakeholders, especially in WP5, have been successfully addressed. Only a few deliverables and tasks were extended and in a very reasonable manner.</p>	
4. Have the pilots/case studies started to showcase innovative results as described in the DoA?	Yes
<p>The planned case studies showcased innovative results as the research produced specific recommendations tailored to and adapted to these communities. Case studies include vulnerable groups: disabled users after the Marrakech treaty, visually impaired people, linguistic minorities, academics using SciHub, 3 case studies of AI creativity and models training, 3 emerging business models (social media influencers, 3 local circular recycling case studies, and makers sharing platforms), 2 negative spaces case studies (cuisine chefs and academic book publishing), documentary filmmakers, urban entrepreneurship 9 creative hubs of North Tallinn, 3 creative cities (Glasgow, Tallinn and Trento), 15 platforms with terms of use and content moderation policies and technologies. All case studies revealed innovative and original behaviours related to copyright, which are very well documented in the individual deliverables and contributing, together with desk research mapping and empirical research, to the definition of the policy recommendations.</p>	
5. Have the ethics deliverables due for the current period been adequately addressed and approved?	Yes
<p>The deliverables focused on ethical issues have been developed and released on time. Surveys, empirical research and interviews continued to be led in compliance with ethical standards.</p>	
6. Have the comments and recommendations from previous project reviews been taken into account?	Yes
<p>Overall, the comments and recommendations made in the previous review have been taken into account. In this regard, the collaboration of computer experts for studies on copyright and artificial intelligence (AI) deserves a specific comment, a suggestion that was taken into account by the project researchers. AI research benefitted from computer scientists peer review, interaction with Europeana and EC policy officers was developed. Somewhat less complete has been the response to the recommendation to study transformative agreements to analyze access by academics although</p>	

the result is satisfactory. Finally, the recommendation to deepen the study of the relationship between private ordering and law in regulating access to cultural goods and services has also been taken into account.

3. Impact

1. Does the work carried out contribute to the expected impacts detailed in the DoA?	Yes
<p>The project contributed the planned impact and even exceeded the expectations, which is all the more impressive during a pandemic. Its impact is wide and varied, and can be grouped into three categories: impact on policy makers, impact on stakeholders and, impact on society as a whole. In all three cases the results are as expected. In the case of the impact of a political nature, the main contribution is that a deeper knowledge of the reality of the European Union in the cultural field and of copyright has been achieved. A comprehensive comparative analysis has been carried out across member countries, including the different sources of regulation, stakeholders' perceptions and practices, private ordering tools, platforms content moderation, and licensing approaches. Another important impact in this area, already mentioned previously, is that new assessments tools have been developed, using a totally interdisciplinary methodology. Finally, based on the studies carried out, evidence-based recommendations have been provided.</p> <p>Policy makers are not the only recipients of this project, stakeholders can also benefit from its results, either by using a set of defined best practices, raising awareness or using the Training Toolkit and Stakeholders' Platform. Finally, society as a whole can also take advantage of this project, especially the studies carried out to make better use of market regulation to achieve objectives that are not strictly economic, especially increasing access to cultural goods and services, cultural diversity, democratization of creativity and culture, and the preservation of content for future generations. The project is an outstanding legacy, scientific and policy contribution to digitisation, the DSM and European culture.</p>	
2. Does the work carried out follow the plan detailed in the DoA to enhance innovation capacity, create new markets opportunities, strengthen competitiveness and growth of companies, address issues related to climate change or the environment, address industrial and/or societal needs at regional level or bring other important benefits for society? Give information on the relevant innovation activities carried out (prototypes, testing activities, standards, clinical trials) and/or new product, service, reference materials, process or method (to be) launched to the market, if any.	Yes
<p>The work developed in this project is providing a more complete and comprehensive view on the impact of digital copyright on culture and creativity within the context of the EU Single Market, paying special attention to promoting culturally diverse content and facilitating access and consumption of creative content for the entire population, including vulnerable groups. This global and open view, together with the search for a balance between all the interests at stake, can already be considered as an important contribution to the improvement of the regulatory framework, the development of cultural policies and the promotion of cultural industries that until now had received little attention.</p> <p>The project led to a broad range of results which allowed to enhance innovation capacity, create new markets opportunities, address issues related to the environment, address industrial and/or societal needs at regional level, and bring important benefits for society.</p>	
3. Does the work carried out contribute towards European policy objectives and strategies and have an impact on policy making?	Yes
<p>The results of this project can have a positive impact on the EU cultural industry. Its complete analysis on the regulatory framework of copyright, together with the information extracted from multiple stakeholders, have given rise to policy recommendations and best practices to achieve an adequate level of copyright harmonization that facilitates access to the culture for all and encourages the creation of cultural content. The work carried out contributes towards European policy objectives and strategies and had and should continue to have an impact on policy making. Results can be implemented at the national level, at the EU level, and by stakeholders, all will benefit from not only the production of legal research aiming to improve creativity, access and diversity, but their daily work and experience will be facilitated thanks to toolkits, information websites and databases, reaching the full potential of digitization and the DSM, ensuring the fulfilment of users rights and copyright flexibility, and reaching better harmonisation and coherence between the wide range of public and private regulation affecting digital creation, including social norms and industry practices.</p>	
4. Does (or will) the work carried out have an impact on SMEs?	Yes
<p>One of the main contributions of this project is that it has very much in mind the interests of small and medium companies in the creative and cultural sector, traditionally neglected in favor of large companies. In this sense, we must mention the study on entrepreneurship patterns of creative industries in gentrifying urban neighborhoods, carried out through several case studies on micro and small-sized enterprises situated in the creative hubs in Tallinn (Estonia). Also of interest is the study on some sectors (fashion, stand-up comedians, haute cuisine chefs) that perform better without IP protection, either because it is not easily applicable to very innovative activities or because industries decide not to rely on IP protection.</p>	

The study of these 'negative IP spaces' is very useful to analyze the relationship between innovation and incentives that IP legislation offers for small and medium-sized enterprises.

5. Have the beneficiaries reached gender balance at all levels of personnel assigned to the action? If not, have the reasons been explained in the periodic report?

Yes

Gender balance has been achieved at all levels of personnel, no imbalance has been detected.

4. Implementation

1. Has the project been efficiently and effectively managed?	Yes
The project has been more than efficiently and effectively managed. No relevant problem has been detected in the management of the project so far. The decisions made to deal with the COVID-19 pandemic appear to be correct.	
2. Is the management of the project in line with the obligations of beneficiaries (including ethics and security requirements, risk and innovation management if applicable)?	Yes
The management of the project was in line with the obligations of beneficiaries and following ethics and risk management best practices. All project beneficiaries appear to have worked according to plan, without any relevant problem being detected. Risk management, including one of great weight and not foreseen (COVID-19), can be considered correct, since its negative impact has not been very significant.	
3. Is the contribution of each beneficiary in line with the work committed in the DoA? (applicable only to multibeneficiary projects)	Yes
The contribution of each beneficiary was in line with the work committed in the DoA.	
4. Have the beneficiaries disseminated project results (foreground) in scientific publications as planned in the DoA (including the deposition of publications in open access repositories)? Do they include a reference to EU funding?	Yes
Dissemination of the project results was achieved by scientific publications as planned in the DoA, including the deposit in OA repositories, and EU funding support has been duly mentioned. All publications and reports and datasets are available in Zenodo and follow the FAIR principles. Publications have mostly not been made in diamond OA journals as it was suggested at the first review, but this doesn't preclude that all results are available in open access (at least Green route) repositories, and all publications venues, conferences and journals, are of very high quality.	
5. Have the beneficiaries disseminated and communicated project activities and results by other means than scientific publications (social media, press-release, the project web site, video/film, etc) as planned in the DoA? Do they include a reference to EU funding?	Yes
The project beneficiaries have disseminated their activities and results through very different means, including: presentations, workshops, webinars, seminars, lectures, blogspots, posters, open letters. The project also has its YouTube channel and three accounts in social media (Facebook, Twitter, LinkedIn). Its website is well designed and includes all relevant information about the project. Information on EU funding is complete and always included. The quantitative and qualitative engagement and communications outputs, and the number of events as well as the quality of its reporting, as they were sometimes validating preliminary results and recommendations, are truly outstanding.	
6. Has the plan for the exploitation and dissemination of the results (if required) been updated and implemented as described in the DoA, in particular as regards intellectual property rights? Is it appropriate?	Yes
The exploitation plan and dissemination was already satisfying and compliant with open knowledge standards. Creative Commons most open licenses were already and continued to be selected where appropriate. Licensing or copyright status was always mentioned on all outputs.	
7. Has the data management plan (DMP) (if required) been updated and implemented? Is it appropriate?	Yes
The project includes a well-designed data management plan (DMP) that has been developed and released on time. Its content is appropriate and deserves an overall positive assessment, as it addresses the main issues in a comprehensive and accurate manner. It can be said that all data has been managed properly and released in open schemes where possible.	
8. Have the proposed institutional changes been appropriately promoted?	Yes
If proposed institutional changes have been promoted and disseminated to appropriate stakeholders and policy makers thanks to an outstanding WP7 dissemination effort.	

5. Resources

1. Were the resources used as described in the DoA and were they necessary to achieve its objectives? If there are deviations from planned budget, have they been satisfactorily explained? Have they been used in a manner consistent with the principle of sound financial management (in particular economy, efficiency and effectiveness)?	Yes
Resources were used as described in the DoA, deviations due to the pandemics were satisfactorily explained, all expenses were necessary to develop the project's objectives and used in a manner consistent with the principle of sound financial management (in particular economy, efficiency and effectiveness). Management was flawless and very adaptive to the context. Transfers of costs categories during RP2, and adjustments to previous financial statements were explained.	

Expert opinion on deliverables

Deliverable number	Deliverable name	Status	Comments
D1.3	Periodic project report	Accepted	The periodic project report has been submitted. This report, which summarizes the development of the project in its first 18 months, is complete, comprehensive and accurate. Both the status of the project objectives and the tasks of the work packages have been explained in sufficient detail. The tables were particularly useful and complete to measure the results for each objectives and milestone. The summary of all the work achieved in all WP and tasks is also very complete.
D1.4	Draft final project report	Accepted	The draft final project report has been submitted. Like the first reporting period project report, this final project report was very helpful to understand the final progress, results and updates regarding the objectives (mapping & measuring for knowledge, engaging, and shaping the future for policy recommendations and good practices). The tables were useful and complete to measure the results for each objectives. Only the milestones achievements were not explained with a short summary, the table only pointing to external resources. The summary of all the work achieved in all WP and tasks is also very complete and reflects the impressive work.
D2.3	Report and data set on flexibilities	Accepted	The report on data set on flexibilities has been submitted. Very extensive and comprehensive report on the degree of harmonization and fragmentation of copyright flexibilities in the EU. It includes uses and purposes that balance copyright and the rights of users and society as a whole. The legislation of each of the member countries is analyzed in detail, especially the enablers, obstacles and regulatory gaps that impact the correct functioning of the copyright balance in the EU and its Member States. Attention is also given to the role that private ordering sources play in regulating access to and use of cultural goods and services, especially how they interact with copyright flexibilities and user rights. This is the type of extraordinary data collection which could be reused by other researchers in the future. It is published as copyright material, and available for others to build upon on http://www.copyrightflexibilities.eu/ . In that way, maybe someone would further organise it in an editable, public, participatory database and acknowledged as a reCreating Europe produced database.
D2.4	Policy brief on barriers for vulnerable groups	Accepted	D2.4 Policy brief on barriers for vulnerable groups has been submitted.

Deliverable number	Deliverable name	Status	Comments
			<p>This is an excellent deliverable on the role of structural inequalities, and of specific barriers linked to them, in accessing digital culture for various vulnerable groups. With a socio-legal method, interviews and a survey, it highlights the knowledge of copyright and its limitations is limited, but that awareness that copyright may constitute a barrier to access is higher among organizations representing disability groups. It provides data on the perception of copyright as a barrier clustered into 5 groups (lack of universal access, digital divide, structural inequalities, financial barriers and disempowerment), of digitisation as a way to overcome them, insight on those groups' coping strategies (lack of diversity, of representation, cultural appropriation) and on how the EU regulatory framework could support more equal access to digital culture, towards 5 policy recommendations. Solutions go from cultural and linguistic rights to accessibility laws, better representation and inclusion in culture and around the policy table to break barriers to access and digital divide.</p>
D2.6	Publication on impact of copyright law and perception on demand for cultural goods and services	Accepted	<p>D2.6 Publication on impact of copyright law and perception on demand for cultural goods and services has been submitted.</p> <p>This deliverable is a fascinating publication of an agent-based model representing the complex interplay between digitization and copyright enforcement and how it affects the production and access to cultural goods. It explores relations simulations and features creators submarkets including different genres and pirated copies, and the impact on prices and profitability for creators markets as well as the role of copyright enforcement. One demonstrated result is that "by implementing stronger enforcement the policy-maker may preserve creator profitability at the cost of imposing higher prices on consumers, reducing market demand and movie quality, albeit with a mild positive effect on product variety (...) and that fostering digitalization may act as a welfare-enhancing substitute for stronger copyright enforcement since it is effective as well in contrasting the pirate market, while contrarily to enforcing stronger copyright laws, it also entails higher consumer welfare. (...) The model suggests an important trade-off between consumer welfare and firm profitability associated to the enforcement of copyright laws in the creative industries."</p>
D2.7	Report on effect of digitisation and regulatory changes on access to cultural/creative goods and services	Accepted	<p>D2.7 Report on effect of digitisation and regulatory changes on access to cultural/creative goods and services has been submitted.</p> <p>This report aims to gain an understanding of the regulatory framework that supports culturally</p>

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			diverse production, as well as inclusive access and consumption. Taking into account the different perspectives of stakeholders, a transnational mapping of regulatory measures that have a positive or negative impact on digital access to culture. The report strongly contributes to the literature on the impact of piracy, and does so in very novel ways, as it took place during the beginning of the pandemic. We knew that piracy can also be positive as it had been demonstrated it also triggers the overall demand, and this survey showed "pirates consume a larger volume of cultural goods through legal channel than non-pirate".
D2.8	Report on case studies	Accepted	D2.8 Report on case studies has been submitted. This report contains the final version of the two case studies to understand the effectiveness of regulatory measures in relation to the access for specific cohorts of end-users, specifically, academics and research exception, and visually impaired people and the so-called 'Marrakech VIP exception'. The research methodology used were two surveys carried out in six EU Member States (Germany, Hungary, Ireland, Italy, the Netherlands, and Sweden). The annexes and mapping to national laws are particularly well presented.
D2.9	Policy recommendations and code of best practices	Accepted	D2.9 Policy recommendations and code of best practices have been submitted. This key two-parts deliverable contains Policy recommendations and code of best practices developed by WP2 on copyright flexibilities and access to culture. They are based on the impressive mapping and were tested during a workshop with stakeholders and presented to EC policy makers before being presented in a friendly format on www.copyrightuser.eu . and organised under 'do's', 'don't', and national points of attention. Recommendations aims at harmonisation, consistency, certainty, update, simplification, alignment with other instruments, and the overall improvement of flexibilities in law and private ordering. It also contains useful summaries of all the findings and recommendations of the WP other deliverables.
D3.2	A data set perspectives authors and performers	Accepted	D3.2 A data set perspectives authors and performers has been submitted. It includes the survey aimed at authors and performers belonging to a wide range of creative fields (authors, performers, designers, singers, musicians, dancers and further). A complete overview of the participant data is also included, and both descriptive and graphical information is provided. A final section of discussion of the conclusions is not included unlike to D3.3.

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D3.3	Final report perspectives authors and performers	Accepted	D3.3 Final report perspectives authors and performers has been submitted. This report focuses on the perceptions and experiences of a wide variety of artists within the EU in relation to digitization and digital access to cultural content. For this, a multilingual survey was carried out that includes topics such as the experience of artists with platforms, their income/earnings, artificial intelligence (AI), piracy and plagiarism, copyright issues and the impact of the Covid-19 pandemic. The survey was complemented by in-depth interviews with the participants.
D3.5	Final report on the impact of IA authorship	Accepted	D3.5 Final report on the impact of IA authorship has been submitted. The report examines the application of EU copyright law to products generated by or with the assistance of artificial intelligence techniques, focusing specifically on the musical domain. It uses a hybrid methodology, mixing doctrinal legal research and empirical research. The first includes an extensive literature review and analysis of regulatory sources, while the second is carried out through case studies and interviews with experts in the legal, technological and commercial aspects of AI music outputs.
D3.7	Final report on the role of EU copyright law in relation to training models for machine learning purposes.	Accepted	D3.7 Final report on the role of EU copyright law in relation to training models for machine learning purposes has been submitted. This report focuses its attention on the new data analysis methods developed by Artificial Intelligence. To this end, three case studies were developed focused on: a) data scraping for scientific purposes; b) machine learning, in the context of Natural Language Processing (NLP); c) computer vision, in the context of content moderation of images.
D4.3	Report on regulatory options, incl. policy recommendations	Accepted	D4.3 Report on regulatory options, including policy recommendations has been submitted. This is the report on Territoriality Policy Recommendations to help the EU overcome the difficulties raised by territorial nature of copyright, despite harmonisation, to achieve a DSM for creative industries. It follows D4.1 Territoriality scoping paper which had identified cases where territoriality was in friction with the DSM. The scoping exercise analysis explains the dominant model of 'fictive localization', or 'country of origin principle', where 'the liability of (professional) users for copyright claims arising in different Member States is reduced by the introduction of a presumption that the user only performs relevant acts in one place, e.g., the place of establishment. In addition of further acquis harmonisation consolidation recommendations

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			(clarification, consistency, unification), the report proposes "a forward-looking exercise entertaining the idea of unitary title for copyright", which requires a clear vision and a simplification, the definition of models followed by feasibility studies and impact assessment studies, taking care of compliance with the prohibition on formalities, or reform needed, and compatibility with other bodies of laws such as cultural diversity, AI, access to information, media. This report is extremely well drafted and makes a very complex, often overlooked topic, easier to understand. These recommendations should hopefully be adopted in the short term and serve as guidance for the more forward-looking parts, which would require a lot of work particularly in the field of the prohibition on formalities.
D4.4	Public summary report - two participatory roundtables, synchronized with relevant consortium events for maximum synergies	Accepted	D4.4 Public summary report - two participatory roundtables, synchronized with relevant consortium events for maximum synergies has been submitted. This report reports and summarises very well the outcomes and take-away-points of the 2 roundtables organised to discuss the territoriality deliverables D4.1 and D4.2 which discussed the propositions of the author.
D4.5	Report and dissemination to stakeholders on newly emerging business models in the creative industries in the wake of increasing digitization	Accepted	D4.5 Report and dissemination to stakeholders on newly emerging business models in the creative industries in the wake of increasing digitization has been submitted This report provides an overview of the new business models emerging in three different sectors of the creative industries (influencer economy, circular fashion economy and maker economy). It not only focuses on how new business models and their relationship with PR rights differ between different sectors, but also on how business models relate to the cultural diversity, that is, how they take advantage of opportunities for the production, consumption and conservation of cultural diversity offered by digitization in the creative industries.
D4.7	Report and dissemination to stakeholders on negative space of EU creative industries	Accepted	D4.7 Report and dissemination to stakeholders on negative space of EU creative industries has been submitted. The report of negative IP spaces (where IP could apply but does not) contains a solid theoretical part, referring to innovation commons and building up an advanced taxonomy related to social norms, knock-off systems (copying is part of the system) and commons-based governance. It follows with well-researched case studies: haute cuisine chefs, where informal IP and knowledge sharing have been documented, and where the authors surveyed chefs with scenarios

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			of social norms of knowledge exchange to better understand behaviours and reciprocity. Second case is academic books publishing transition to low IP-models due to file sharing platforms such as Sci-Hub and LibGen (and high prices, shrinking libraries budgets, open access models). Interviews of big and small publishers were led. The study revealed Piracy as a sign of the shortcomings of the current model, following mistakes led by music and games industry facing digitisation. OA models and transformative agreements were shown to have some shortcoming while experimental models such as freemium are to be further tested with libraries as scalable partnerships.
D4.9	Report and dissemination to stakeholders on entrepreneurship patterns of creative industries in gentifying urban neighborhoods arising from empirical data gathered	Accepted	D4.9 Report and dissemination to stakeholders on entrepreneurship patterns of creative industries in gentifying urban neighborhoods arising from empirical data gathered has been submitted. This report offers an overview of the changing entrepreneurship patterns of the creative and cultural industries companies located in urban neighborhoods in the process of gentrification. Data were collected on the basis of a case study of micro and small businesses located in the creative hubs in Tallinn (Estonia), a agglomerated neighborhood like the creative zones of other European cities where old industrial buildings are converted into new office spaces and creative hubs.
D4.11	Drafting of two codes of best practices in relation to copyright in the AV selected sectors	Accepted	D4.11 Drafting of two codes of best practices in relation to copyright in the AV selected sectors has been submitted. This deliverable includes the Code of Good Practices whose objective is to help documentary filmmakers make informed decisions around the legal reuse of existing materials in filmmaking. It is based on opinions and statements collected through a series of workshops with documentary filmmakers from the United Kingdom and the Netherlands. Although the legal analysis carried out delves into the copyright laws of these two countries, its conclusions are also relevant to the rest of the Member States. Both codes are very short and clear for the specialised audience, and recognise they are facing the well-known limits that it is not possible to be valid across jurisdictions or taken for legal advice. Maybe they could be presented in a more gamified or visual way, with boxes and arrows, to be easier to read for the intended audience.
D4.13	New EU Copyright User Portal providing accessible and authoritative guidance on EU copyright law	Accepted	D4.13 New EU Copyright User Portal providing accessible and authoritative guidance on EU copyright has been submitted. The basic information of the new EU Copyright User Portal is provided. It has a beautiful design and diagrams summarising all the processes and

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			<p>finding of the project, and it links to plenty of extremely useful resources. An extension would be desirable, allowing participatory updates, for other projects and scholars to contribute by adding new cases and legislations to the existing structure after the end of the project (or its extension!). If development resources are scarce, maybe an email address where such updates can be sent so that a partner adds them? It is appreciated that "it has been designed to account for its future sustainability by integrating material from the ReCreating Europe copyright flexibilities database amongst several other sources", but there is no submission address to receive future possible contributions. In the same way some professors propose as an assignment to their students to create or edit a Wikipedia entry, maybe a labour-not intensive way to attract curated contributions would be for the partners teaching at the master level to ask their future students to draft the summaries of future cases to update this wonderful resource?</p>
D5.3	Guidelines & FAQs (GM) industries - Interim version	Accepted	<p>D5.3 Guidelines & FAQs (GM) industries – Interim version has been submitted.</p> <p>This deliverable, focused on the Galleries and Museums, includes a descriptive analysis of the legal framework, a set of FAQs, and Guidelines, all focused on digital preservation, the use of orphan works and the use of out-of-commerce works. Its aim is to provide a first draft of Guidelines and FAQs to help galleries and museums to deal with some selected issues arising from digitization. The draft was distributed to the participants in several workshops organized under WP5 to discuss their content and propose improvements to both documents.</p>
D5.5	Guidelines & FAQs (GM) industries - Final version	Accepted	<p>D5.5 Guidelines & FAQs (GM) industries - Final version has been submitted.</p> <p>Definitive version of this document that has served as the basis for developing a set of frequently asked questions (FAQs) and guidelines on this cultural sector. Both the FAQ and the Guidelines were adjusted after obtaining feedback from several cultural heritage institutions that had tested the draft version.</p>
D5.6	Guidelines & FAQs (LA) industries - Final version	Accepted	<p>D5.6 Guidelines & FAQs (LA) industries - Final version has been submitted.</p> <p>This deliverable, which is the final version, presents Guidelines and Frequently Asked Questions (FAQ) for libraries and archives sector on: a) legal compliance and compliance with standards for Openness, b) implementation of technological measures, c) adoption of social standards and common practices, particularly if they are in conflict with formal legal norms and more aligned with Open knowledge principles; d) access to</p>

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			content by people with disabilities. Main results and guidelines are the need for legal training, a dialogue with technology experts on public lending and digital lending, as well with open knowledge experts and associations to take advantage of flexibilities for more access through preservation and disability provisions.
D5.7	Final policy recommendations for EU lawmakers	Accepted	<p>D5.7 Final policy recommendations for EU lawmakers have been submitted.</p> <p>Document with policy recommendations for the GLAM sector, grouped into six categories: 1) reform the EU copyright framework systematically; 2) clarify and simplify the EU copyright framework for cultural heritage, 3) expand and safeguard the public domain; 4) increase the EU role in cultural heritage; 5) safeguard the public value of cultural heritage through eu initiatives; and 6) educate and engage with GLAM stakeholders to ensure fair balance of copyright interests. This is an excellent, evidence-based working programme which should absolutely guide all future work, addressing both legal reform, community measures and policy actions, towards the development of future EC programmes.</p> <p>It is in addition a greatly important reading from the project, which could be displayed more prominently on the website, as it also provides nice summaries of all the research it built upon for busy policy-makers and a great take-away point from the project.</p>
D5.8	Academic journal articles on the finding of research	Accepted	<p>D5.8 Academic journal articles on the finding of research have been submitted.</p> <p>This deliverable includes two scientific papers on copyright in the GLM sector. The full text of the first of them, published in a prestigious magazine, is included. Not so in the case of the second one, since it is still under peer-review process. One article is on academic copyright and open access with the notion of second publication right, or re-publication. The second relates to freedom of panorama and the reproduction of art which is on the public domain.</p>
D5.9	Policy report to disseminate to interested stakeholders	Accepted	<p>D5.9 Policy report to disseminate to interested stakeholders has been submitted.</p> <p>This report examines the intersection between copyright, digitization and the circulation of cultural heritage from the point of view of place. This issue is analyzed both from a reaching in perspective (projects directed especially for inhabitants) and reaching out (projects directed outwardly and focused on tourism and investment). The three places studied are cities (Glasgow, Tallinn, and Trento) where the relationship between intellectual property and placemaking is examined in a practical way. It is a very</p>

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			interdisciplinary and original study, building on tourism studies, management and innovation, urban studies and museum studies, in relation with the legal framework including freedom of panorama. It targets an impressive variety of stakeholders, EU policy makers, GLAM, local governments. Key original findings, in addition to copyright flexibilities, are related to accessibility and inclusiveness, towards the building of common data spaces and the role of trademark registration in the circulation of city signs.
D5.10	Academic journal article on IPRs and place	Accepted	D5.10 Academic journal article on IPRs and place has been submitted. This deliverable includes a scientific article on IPRs and place. It considers the branding of cities and, specifically, how the creation of city brands intersects with EU and national rules on trade marks and copyright in particular. This is an excellent and very original and innovative academic article extending the dissemination of the findings of D5.9. on the impact of IP (trademark and geographical sign, as well as copyright and freedom of panorama, and their overlap) on the creation of city brands, place branding or placemaking being presented as key for CH city strategy. Although it includes the full text, it is not clear in which journal it is specifically published.
D6.2	Mapping report	Accepted	D6.2 Final Report on mapping of EU legal framework and intermediaries' practices on copyright content moderation and removal has been submitted. Extensive and comprehensive report on impact on access to culture of copyright-protected content moderation systems on online platforms. Both the public and private regulatory frameworks are analyzed, examining how the different elements that make up that regulatory framework interact with each other. Another fundamental element of this study is the analysis of the automated content moderation systems used by these platforms. The various legal analysis provide key insights to interpret and balance liability, due diligence and users's rights, and insights for member states' implementation.
D6.3	Final Evaluation and Measuring Report	Accepted	D.6.3 Final Evaluation and Measuring Report - impact of moderation practices and technologies on access and diversity has been submitted. This is a really excellent deliverable mixing critical legal analysis and solid empirical studies. It already led to 4 publications in highly regarded outlets. It evaluates the impact of the legal framework on access to culture, and the impact that content moderation norms and technologies of blocking and deletion have on access, on diversity and on social media creators. It relies on public and private

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			regulation, including transparency reports by the platforms Other important contributions include propositions of procedural rules and competences for better automated copyright content moderation, the need for contextual use understanding, and a "call for robust mandatory data access clauses in future regulations in order to better protect access and diversity". Hopefully authors' high quality research will continue to shape platforms and platform regulation in the future.
D6.4	Best Practices and Policy Recommendations Brief	Accepted	<p>D6.4 Best Practices and Policy Recommendations Brief have been submitted.</p> <p>This report includes the results of WP6, that is, it describes and summarizes the results of the research carried out on mapping of the EU legal framework and the practices of intermediaries in terms of moderation and elimination. Its main contribution is that it brings together the results of the deliverables on this matter in a concise format of conclusions and policy recommendations. It includes the usual requests for clarification, the recognition of user rights and fundamental rights by platforms terms of use, the need for complaint procedures and safeguards, measures on preventive filtering, legal clarification to solve conflict between overlapping provisions between copyright and DSM frameworks as well as DAS and AI acts, and transparency to ensure researchers' access to data of those content moderation systems, where human moderation should get a better place, and trade secret should not be used to prevent access to information which has such a direct impact on access to culture and fundamental rights.</p>
D7.3	Final Engagement and Outreach Report	Accepted	<p>D7.3 Final Engagement and Outreach Report has been submitted.</p> <p>Document that summarizes and evaluate the Engagement and Outreach strategy and activities carried out during the project, whose recipients have not only been the project's stakeholders but also the general public. This report shows the amazing level of dissemination and involvement of all stakeholders targeted by the WP, with outstanding activities, from workshops to blogs, presentations and publication, and last but not least, the high-quality policy recommendations, tools for expertise building and the wonderful legacy database websites, and highly attended events, including with synergic partners of the ecosystem (inDICEs, GLAM workshops, Communia, other research projects), and an Open letter to the European Commission.</p>
D7.4	Training toolkit	Accepted	<p>D7.4 Training toolkit has been submitted.</p> <p>Report describing the project's training toolkit, whose purpose was to disseminate the resources created by the project. It is included on the</p>

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			<p>project website and follows the FAIR (Findable, Accessible, Interoperable, Reusable) principles. It contains multiple and varied resources and materials. It ensures a very user-friendly access to the project resources and should inspire other projects which do not have such a dissemination strategy.</p>

Expert opinion on milestones

Milestone number	Milestone name	Achieved	Comments
MS1	Mapping Legal Framework - Methodology and Design	Yes	As stated after the first review, the methodology and design of the legal framework mapping have been prepared. With the aim of addressing the challenges of methodology and to design the work of WP6, a workshop was organized that, due to the COVID-19 pandemic, had to be online. Two reports, a recording and presentations have been released, on the top of a MS1 short report documenting how the work of the consortium related to Article 17 of the CDSM Directive.
MS2	Stakeholder landscape analysis	Yes	In addition of the Stakeholder Landscape Analysis report overview, where all project partners provided input on potential stakeholders, a Stakeholder Mapping Database identified 100+ individual organizations. As stated after the first review, the stakeholders landscape analysis allowed to start the mapping activities. The stakeholder landscape and mapping database allowed and facilitated the communication and engagement activities of the project.
MS3	Four deliberative exercises to identify acceptable normative practices within a progressive interpretation of the legal framework	Yes	Normative practices of the legal framework have been identified. They consist of four online deliberative workshops for the community of documentary filmmakers and of curators and creators of immersive experiences in two jurisdictions (The Netherlands, UK). They provided direct input for the four issue reports produced for MS5 and ultimately for D4.10.
MS4	Expertise building framework	Yes	Expertise building framework has been addressed. It includes an analysis of the training needs of each key stakeholder group and how to support dissemination of and access to the training materials produced in the duration of the project. It also introduces recreating Europe's Training Toolkit: a catalogue of initial training materials.
MS5	Issue reports of how copyright exceptions and other permitted uses are understood and applied by documentary film makers and immersive digital heritage practitioners in the Netherlands and the UK	Yes	Work has been done to understand how copyright exceptions and other permitted uses are understood and applied by documentary film makers and immersive digital heritage practitioners in the Netherlands and the UK. It includes the transcriptions or written accounts of the four online workshops that were undertaken for MS3. These four issue reports have been directly and fully integrated in D4.10.
MS6	Practices and Technologies	Yes	The current state and the future lines of research on copyright and automated content moderation has been analyzed. With this objective, a webinar

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			(6 Dec. 2021) was held where various aspects of this topic were discussed.
MS7	Mapping Legal Framework - Preliminary Results	Yes	A webinar “The Regulatory Landscape for Copyright Content Moderation: Evaluation and Future Trajectories” was also organised, gathering 60 participants, fulfilling the Milestone which aimed to provide for a summary of the mapping research, a state of the art overview of the implementation of art. 17 CDSM Directive, and a discussion on potential approaches to the second part of the project (of a more evaluative nature).
MS8	Evaluation of engagement strategy	Yes	Updates verifying the engagement and outreach activities were shared regularly, with monthly meetings, Project Management board meetings (both regular and extraordinary), General Assembly meetings, collection of information and updates related to engagement and expertise activities and checking across the set KPIs for outreach and impact, taking into account the pandemic impact and the timeline amendment consequences on deliverables and engagement and building expertise.
MS9	Dataset and outcomes survey authors and performers available to consortium	Yes	The survey, aimed at artists belonging to a wide range of creative fields (authors, performers, designers, singers, musicians, dancers...), was designed and translated into 22 official EU languages.
MS10	Dataset of EU and national regulatory responses and private ordering trends on barriers to access to culture available to consortium	Yes	This Milestone was achieved with the data collection in the public database on copyright flexibilities and an Empirical Analysis of End-user License Agreements. By conducting a comparative and empirical research (collecting and analyzing the private ordering mechanisms of selected services providers), the authors compared 17 different services according to eight variables to understand the (limited) range of flexibilities granted to use digital contents and allow UGC.
MS11	Workshops @ GLAM	Yes	The main issues of copyright and GLAM institutions were discussed in a hybrid workshop held in Hungary, whose presentations and material constitute the proof of this milestone.
MS12	Evaluating Legal Frameworks	Yes	The results of a workshop held on December 8, 2022 on platform content moderation and accountability are explained.
MS13	Impact of copyright content moderation and removal practices and technologies on access and diversity	Yes	An online workshop on the topic of “Platforms’ content moderation and accountability: evaluating the present and looking into the future” has been organised and outcomes of the discussions nicely documented in a short report, putting an emphasis on the need of institutional effort and to create synergies between the social

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			media observatory platform governance archive, the European Digital Media Observatory on misinformation, and the Platform Governance Research Network.
MS14	Discussion of best practices with stakeholders (consumers associations, associations representing vulnerable users)	Yes	D2.9 Policy Recommendations and code of best practices were tested and discussed at an expert and stakeholders workshop, held at the Institute of Information Law (IViR), University of Amsterdam on 21 September 2022, and entitled “Copyright Flexibilities: mapping, explaining, empowering”. A short report documents the substantive input of the stakeholders on some points, leading to a revised version.
MS15	EU Copyright Guidance	Yes	With the aim of providing guidance on EU copyright in the upcoming CopyrightUser portal, a workshop was held with different partners of the consortium. It is a continuation of the work started in deliverable D4.12 on its information architecture.
MS16	Final Conference	Yes	The Final Conference took place in Brussels (March 21-22, 2023). All presentations are available on Zenodo.
MS17	10x original explanatory infographics/illustrations	Yes	A selection of infographics, illustrations and other designs produced for the CopyrightUser portal.
MS18	Final Conference Report	Yes	The report on the final conference of the project is included, which constitutes the most comprehensive dissemination activity of the project.